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30/10/07

# HIGH COURT OF CHHATTISGARH AT BILASPUR

## WRIT PETITION ( C) No. 4752 of 2007

**PETITIONER** : Barfani Academia, Bilaspur, A society registered under the Chhattisgarh Societies Registrikaran Adhiniyam, 1973 with registered office at – Harit Krishan Colony, Tarbahar Bilaspur (C.G.) Through: Its Chairman Prakash Davara son of Magan Bhai Davara aged about 57 years, resident of Gitanjali Nagar Raipur (C.G.)

**VERSUS**

**RESPONDENTS** :
1. Union of India, Through the Secretary, Ministry of Health and Family Welfare, (Department of Health) PMS Section, Nirman Bhawan, Maulana Azad Road, New Delhi – 110011
2. Dental Council of India (Constituted under the Dentist Act, 1948) Aiwan-a-Galib Marg Kotla Road, New Delhi 110002
3. State of Chhattisgarh, Through the Secretary, Department of Health and Family Welfare, DKS Bhawan, Mantralaya, Raipur (C.G)

WRIT PETITON UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

**Coram : Hon'ble Shri Jagdish Bhalla, Acting Chief Justice & Hon'ble Shri Satish K. Agnihotri J.**

Present: Shri Jitendra Pali with Shri Prashant Mishra, Advocates for the petitioner.
Shri B.P.Sharma, Advocate for respondent No. 2.
Ms. Sharmila Singhai, Advocate for Union of India/respondent No.1.

**ORAL ORDER**

(Passed on 26th day of October, 2007)

The following order of the Court was passed by **Hon'ble Jagdish Bhalla, Acting C.J.:**

Learned counsel appearing for the petitioner informs that this petition has become infructuous.

Similarly situated aggrieved institutions approached to the Apex Court challenging the refusal for grant of permission/renewal for conducting BDS courses during 2007-08 by the Central Government, which was disposed of with few consequential direction/observations without examining the merits, by its judgment dated 28th September, 2007, in Writ Petition (Civil) No. 359 of 2007 (Avadh Institute of Dental Sciences Vs. Union of India and Another) and other connected matters.

In view of the above, this petition has become infructuous and is accordingly dismissed. However, this dismissal is without prejudice to the rights and contentions and reserving liberty to challenge the rejection, if it becomes necessary with reference to 2008-2009.

**Sd/-**
**Acting Chief Justice**

**Sd/-**
**Satish K. Agnihotri**
**Judge**

Amit / Sahu